WHAT THE GRAND JURY SAID ABOUT HOYLE, ALDRICH AND OUR BOARD OF SUPERVISORS

The following is an extract from the report of the 1919 Grand Jury made to Judge Emmet Seawell, Monday, January 5, 1920, on the District Attorney, Board of Supervisors, and the County Engineer:

In a formal report issued Monday afternoon by the Sonoma county grand jury, of which Leo V. Korbel is the foreman, District Attorney George W. Hoyle was severely scored for alleged dereliction of duty, and the jury described him as unfitted longer to discharge the duties of his office.

BOARD OF SUPERVISORS

We commend the Board of Supervisors with one exception for their attitude toward the Reams Act, and the County Engineer's office, and recommend that they continue co-operating in every possible way that may promote greater efficiency and economy in the building and maintaining of county roads and highways.

We condemn the action of the Supervisor of the Third District for refusing to turn over the roads of his district to the County Engineer, and believe that in the interest of harmony and carrying out the purpose and intent of the law as embodied in the Reams Act, that he should immediately relinquish the roads of his district to the County Engineer.

COUNTY ENGINEER'S OFFICE

During the past few months, numerous charges of irregularities and extravagance in the County Engineer's office have been brought to the attention of this Grand Jury.

After a most thorough and exhaustive investigation of these charges, we find that not in a single instance are they justified by the facts. We believe that these charges are the result of ignorance, maliciousness, or the desire to embarrass the County Engineer.

Further, in the course of our investigation, we had made many inquiries of those in a position to know as to the character and qualifications of Mr. Aldrich, and we are in receipt of many letters and endorsements, highly commending the integrity and ability of the County Engineer, and we believe Sonoma county most fortunate in securing the services of such a man as Mr. Lloyd Aldrich.

DISTRICT ATTORNEY

During the past year, the Grand Jury has brought to the attention of the District Attorney many cases of infraction of the law, and requested him to investigate and prosecute. The following are some of the cases brought to his attenion:

1. Early in the year, he was advised to proceed at once and secure and present evidence of the criminal acts of Frank Brush, W. C. Grant, and H. K. Loughery, in the matter of the National and Union Bank failures. He promised to so proceed. At several subsequent meetings, he was again called upon for evidence, but stated he had secured none, and asked for more time. These requests have been repeated several times. On December 26, 1919, he reported his inability to secure evidence of any irregularities. It is common knowledge that ample evidence exists, and had the District Attorney made a reasonable effort, we feel these parties could have been brought to trial. Not only is there evidence of numerous crimes in the banks, but there is also evidence of Mr. Brush embezzling moneys of private estates.

Regarding the case of John Lopus, accused of selling liquor without a license, to minors and to men in uniform, and the case of John Ghoul, accused of shooting Mrs. Mathiesen.

This Grand Jury feels that the District Attorney has been indifferent and reluctant to prosecute in these cases, and is derelict in the discharge of his duty. Perhaps this might be due to the fact that the District Attorney's office is conducting too much private practice to the detriment of the public business. We therefore recommend the county government act be changed to forbid the taking of private business by the District Attorney's office and to allow one deputy only. The salary of the District Attorney and deputy to be raised so that a higher degree of legal talent will be attracted to it.

The District Attorney has accused the Engineer's office of inefficiency, extravagance, and of presenting fictitious and illegal claims for payment. As expressed in our above report, we find the Engineer's office one of the most efficient in Sonoma county.

As to the District Attorney's charges that the overhead of the Engineer's office would be between 20 and 30 per cent of the total bond issue, such statement at this time has no foundation in fact, and no justification, and is absurd.

The District Attorney was called before the Grand Jury to present his evidence of fictitious and illegal claims, as charged by him in his public statement. When the District Attorney was confronted by the County Engineer and his explanations, he acknowledged none of the claims were fictitious.

Two of the claims which the District Attorney charged were illegal, one was due to the fact that the District Attorney's office failed to give the proper legal advice to the Board of Supervisors, and the County Engineer, as to the filing of the Engineer's bond. The other was a claim for $12.50, premium on the above said bond. In these two cases, the Grand Jury feels that they are moral and just claims against Sonoma county, and should be paid by the Board of Supervisors. It is customary for the employer to pay the premium on an employee's bond.

FROM THE FOREGOING AND FROM OTHER FACTS KNOWN TO THE GRAND JURY, WE ARE CONVINCED THAT THE DISTRICT ATTORNEY HAS PERSISTENTLY OFFERED STUBBORN AND UNWARARNTED OPPOSITION TO THE WORK OF THE COUNTY ENGINEER AND THE REAMS ACT. THIS HAS BEEN THE EFFECT OF DELAYING THE WORK, TO THE GREAT DETRIMENT AND EXPENSE OF THE COUNTY.

It has seemed that his opposition is highly technical and we believe that it is not the province of a District Attorney to attack the constitutionality of this Reams Act, or any other act upon the statute books, but upon the contrary that it is his sworn duty to uphold this, and all other statutes.

THEREFORE, IT IS THE UNANIMOUS OPINION OF THE GRAND JURY THAT THE DISTRICT ATTORNEY IS UNFITTED TO LONGER DISCHARGE THE DUTIES OF HIS OFFICE.

THIS, YOUR HONOR, WE SUBMIT TO YOU OUR FINAL REPORT.

LEO V. KORBEL,
Foreman Sonoma County Grand Jury, 1919.

C. A. WRIGHT,
Secretary.

The members of the Grand Jury included Leo V. Korbel, foreman; Charles A. Wright, secretary; and Messrs. E. B. Deakin, E. D. Seaton, Harry L. Hall, A. W. Agnew, William H. Calhoun, Theodore G. King, Samuel I. Horton, Ney L. Donovan, E. C. Rand, W. M. Rutherford, Robert Cunningham, Owen J. Cline, Perry S. Hollingsworth, J. M. Hardin, Dawson Dixon, Frank J. McNamara and Edson C. Merritt.